

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

The specification has been amended on pages 1, 2, and 4 in view of the previous cancellation of claims 1-23.

The subject matter of claim 25 has been incorporated into claim 24, and claim 25 has been cancelled without prejudice or disclaimer since the amendment to claim 24 renders claim 25 redundant.

New claim 46 has been added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 24 and 26-46 are now pending in this application.

Objection to the Claims

Claims 25-32, 34-36, and 43-45 are objected to for allegedly containing informalities. The claims have been amended to overcome this objection. Reconsideration and withdrawal of this objection is respectfully requested.

Rejection under 35 U.S.C. § 102

Claims 24-27, 30-39, and 42-45 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,992,174 to Mittelstrass (hereafter "Mittelstrass"). This rejection is respectfully traversed.

In this response, claim 24 has been amended to include the subject matter of claim 25. Claim 24 recites a condenser comprising a tube block comprised of tubes and fins; a header arranged on each end of the tube block and communicating with the tubes; a collector which is arranged in parallel with and connected to one of the headers by means of an inflow opening and an outflow opening, the collector including a selectively removable closure stopper at one end of the collector located in the region of the outflow opening; and an insert

which is connected to the closure stopper and includes a circumferential sealing member arranged between the inflow opening and the outflow opening, and a filter unit (1) that defines the insert as a separate functional unit, (2) that comprises a cage member defining a generally hollow, unfilled space within it and openings on its lateral sides that are covered by a filter material, and (3) that is arranged in the region of the outflow opening; wherein the cage member of the insert comprises a pot-shaped design having a bottom, a sidewall and an edge, the sidewall having said openings positioned above the bottom, and wherein the sealing member comprises a circumferential sealing lip being arranged at said edge. Claim 37 includes similar language.

Mittelstrass discloses a tubular collector profile 1 that includes a dryer cartridge 6 and a sealing lid 5 that seals the dryer cartridge 6 to the profile 1. See Mittelstrass at col. 3, lines 14-31; col. 3, line 66, to col. 4, line 18. The dryer cartridge 6 is a tube or sleeve that includes lattice perforations lined with a filter screen 7, a sealing shoulder 11, and a sealing flange 14. See Mittelstrass at col. 3, lines 36-39. A dryer filling is provided in the dryer cartridge 6 inside of the filter screen 7 and the lower end of the dryer cartridge 6 is sealed by a bottom and the upper end of the dryer cartridge 6 is sealed by a sealing piston 8. See Mittelstrass at col. 3, lines 39-65.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See generally M.P.E.P. § 2131.

Here, Mittelstrass does not disclose a condenser or insert part that includes, among other things, a cage member that has a pot-shaped design having a bottom, a sidewall and an edge, the sidewall having said openings positioned above the bottom, wherein a sealing member comprises a circumferential sealing lip being arranged at said edge, as recited in claims 24 and 37. The dryer cartridge 6 of Mittelstrass does not have a pot-shaped design having an edge and a sealing member comprising a circumferential sealing lip that is arranged at the edge. The dryer cartridge 6 of Mittelstrass does not have a pot-shaped design because Mittelstrass discloses that both the upper and lower ends of the dryer cartridge 6 are sealed. Furthermore, as shown in the Figures of Mittelstrass, the dryer cartridge 6 does not have a pot-shaped design because the sealing shoulder 11 and the sealing flange 14 are not arranged

at an edge of a pot-shaped design. Nor does Mittelstrass disclose a cage member that defines a generally hollow, unfilled space within it because Mittelstrass discloses that a dryer filling is provided inside of the dryer cartridge 6. Therefore, Mittelstrass does not anticipate claims 24 and 37 because Mittelstrass does not disclose all of the features of claims 24 and 37.

Claim 32 depends from claims 24 and is allowable over Mittelstrass for at least the reasons discussed above. Claim 32 further recites “a granular desiccant in a separate container positioned above the insert.” Mittelstrass teaches that a dryer filling is provided inside of the dryer cartridge 6. Therefore, Mittelstrass does not disclose a condenser in which a granular desiccant in a separate container positioned above the insert, as recited in claim 32.

Claim 33 recites a condenser comprising “a tube block comprised of tubes and fins; a header arranged on each end of the tube block and communicating with the tubes; a collector which is arranged in parallel with and connected to one of the headers by means of an inflow opening and an outflow opening, the collector including a selectively removable closure stopper at one end of the collector located in the region of the outflow opening; and an insert embodied as a single-piece component comprising the closure stopper and a cage-like sleeve, wherein the insert includes a circumferential sealing member arranged between the inflow opening and the outflow opening, and a drying and filter unit that (1) comprises a lower compartment in said cage-like sleeve defining a generally hollow, unfilled space within it and openings on its lateral sides that are covered by a first filter material, said lower compartment being arranged in the region of the outflow opening, and (2) comprises an upper compartment in said cage-like sleeve containing a desiccant.” Claim 42 contains similar language.

Mittelstrass does not disclose a condenser or insert part that includes an insert with a lower compartment defining a generally hollow, unfilled space within it and an upper compartment containing a dessicant, as recited in claims 33 and 42. Mittelstrass does not disclose that the dryer cartridge 6 includes upper and lower compartments or that a lower compartment defines a generally hollow, unfilled space within it. Instead, Mittelstrass teaches that a dryer filling is provided inside of the dryer cartridge 6. Therefore, Mittelstrass does not anticipate claims 33 and 42 because Mittelstrass does not disclose all of the features of claims 33 and 42.

Claims 35 and 44 depend from claims 33 and 42, respectively, and are allowable over Mittelstrass for at least the reasons discussed above in regard to claims 33 and 42. Claims 35

and 44 further recite that a second filter material of the upper compartment has a coarser mesh than the first filter material of the lower compartment. Mittelstrass does not disclose that the dryer cartridge 6 has upper and lower compartments or that such compartments include filter material of different mesh sizes. Therefore, Mittelstrass does not anticipate claims 35 and 44.

For at least the reasons discussed above, reconsideration and withdrawal of this rejection is respectfully requested.

Rejection under 35 U.S.C. § 103

Claims 28-30, 40, and 41 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Mittelstrass in view of U.S. Patent No. 6,242,163 to Stampfl *et al.* (hereafter "Stampfl"). This rejection is respectfully traversed. Stampfl fails to remedy the deficiencies of Mittelstrass discussed above in connection with the outstanding rejection of independent claims 24 and 37, from which claims 28-30, 40, and 41 depend. Reconsideration and withdrawal of this rejection is respectfully requested.

New Claim

New claim 46 has been added. Claim 46 depends from claim 37 and is allowable over the prior art for at least the reasons discussed above. Claim 46 further recites language similar to that of claim 32 and is allowable for at least the same reasons discussed above in regard to claim 32.

CONCLUSION

Applicant submits that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are

needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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